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The rule of law at the national and international levels

Measures to eliminate international terrorism

Letter dated 23 October 2008 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

Upon instructions from my Government and with regard to the action taken by the Government of the United Kingdom to take out the name of the so-called "People's Mojahedin Organization of Iran" (PMOI), a notorious terrorist group, from Britain's list of proscribed groups, which came after a verdict issued by the British Court of Appeal on 7 May 2008 in case No. 2007/9516 and in the light of a decision made by the Proscribed Organisations Appeal Commission (POAC), I would like to bring the following to your attention:

1. The PMOI, as a terrorist cult and based on its strategy of armed struggle, has been adopting an eclectic and deviant ideology which has, over the years, resulted in widespread terrorist operations against Iranian civilians and officials as well as foreign nationals. These terrorist operations have resulted in the loss of lives of thousands of Iranian nationals, including political figures and parliamentarians, while thousands of others have been wounded or have suffered from material and moral damages. Even now, the remaining members of this terrorist cult continue to maintain their military capabilities as well as their terrorist nature, structure, aims and primary and founding strategies, in particular the strategy of armed struggle and use of force. For these reasons, they are still involved in different forms of terrorism, in one way or the other, including violent operations, money-laundering and inciting and encouraging terrorism around the globe. This is why this cult is the most despised group in the public opinion of the Iranian people.

2. Despite the very clear terrorist nature of the PMOI and its attempt to reconstruct its terrorist capabilities, the POAC, the Court of Appeal and the British Government as a whole have all ignored such irrefutable evidences, while the terrorist nature of this cult has been clearly recognized and reaffirmed by other States as well as regional organizations. There are also many documents indicating that this cult has been "otherwise concerned in terrorism" after 2003. In addition,

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several reports issued by non-governmental organizations, including those who are active in the field of human rights, testify to the despicable and terrorist nature of this cult. It is worth mentioning that these clear facts have all been reaffirmed, even very recently, by the high-ranking legislative and executive officials of the United Kingdom too.

3. Nevertheless, it seems that the POAC and the Court of Appeal, which have undoubtedly had access to the very clear documents indicating the continuation of terrorist activities of this cult, have chosen to ignore them and even have not paid attention to the mere fact that there have been no convincing evidences, whatsoever, to show that the said cult has objectively abandoned terrorism. Consequently, the United Kingdom officials issued a questionable verdict that is not in conformity with the general principles of law and justice.

4. From the international law point of view, the decision by the British judiciary, and the Government of the United Kingdom as a whole, is in contradiction with the clear and indisputable international obligations of the British Government to fight terrorism and is also in clear defiance of the relevant Security Council resolutions, including resolutions 1373 (2001) and 1624 (2005) as well as the United Kingdom's regional commitments. The said verdict and the consequent removal of the name of this terrorist cult from the list of proscribed terrorist organizations of the United Kingdom indicates that the British Government has indeed conferred legitimacy to their activities, a move which clearly contradicts the international efforts to combat terrorism. Evidently, and as the customary rules of international law governing the responsibility of States clearly demonstrate, resorting to such excuses as the independence of the judiciary or the separation of powers cannot be regarded as circumstances precluding the responsibility of the Government of the United Kingdom resulting from breaching its international and regional obligations in the fight against terrorism.

5. In the light of the above, the Islamic Republic of Iran, while strongly protesting this action by the British Government, considers the said Government responsible for the adverse consequences of the spread of the activities of this terrorist cult in the territory of the United Kingdom as well as at the regional level and beyond. Furthermore, the Islamic Republic of Iran reserves its right to take legal actions for the losses that may be inflicted on Iranian nationals and its security as a result of the failure by the British Government to abide by its international obligations and commitments.

I should be grateful if you would have this letter circulated as a document of the General Assembly, under agenda items 99 (Measures to eliminate international terrorism) and 79 (The rule of law at the national and international levels), and of the Security Council.

(*Signed*) Mohammad **Khazaee**
Ambassador
Permanent Representative

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General Assembly
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Agenda item 13
Protracted conflicts in the GUAM area and their implications for international peace, security and development

Security Council
Sixty-third year

Identical letters dated 24 October 2008 from the Chargé d'affaires a.i. of the Permanent Mission of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit a statement, dated 24 October 2008, of the Parliament of Georgia on facts concerning violation of the ceasefire agreement by the Russian Federation (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the sixty-third session of the General Assembly, under agenda item 13, and of the Security Council.

(*Signed*) Irakli **Chikovani**
Chargé d'affaires a.i.

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Annex to the identical letters dated 24 October 2008 from the Chargé d'affaires a.i. of the Permanent Mission of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

Statement of Parliament of Georgia on facts concerning violation of the ceasefire agreement by the Russian Federation

The Parliament of Georgia expresses grave concern due to the continuous blatant violation by the Russian Federation of the six-point ceasefire agreement reached with the mediation of the European Union on 12 August 2008. The agreement unambiguously commits the Russian Federation to withdraw forces to the pre-6 August lines, which should result in vacating the occupied Akhalgori district, the Georgian villages around Tskhinvali, the village of Perevi in Sachkhere district and Upper Abkhazia. To the contrary, Russian armed forces concentration and provocation activities continue in the conflict region. Specifically, on 22 October, 2,000 soldiers were placed in the conflict region and their total number is more than 7,000 on the former territory of the South Ossetia Autonomous Region. In addition, 40 units of heavy military equipment have been imported to the Akhalgori district. Also, obvious aggressive military road constructions have started from Tskhinvali to Akhalgori. All of the above-mentioned activity increases the danger of aggression/aggravation. Ethnic cleansing committed in the occupied territories with the direct participation and assistance of the Russian Federation puts it in direct breach of fundamental principles of human rights and international documents. Recognition of the independence of Abkhazia and the former Autonomous Region of South Ossetia constitutes a serious breach of international law, an attempt to legalize results of ethnic cleansing and an annexation of Georgian territory. The Parliament of Georgia calls upon the international community and Parliaments of our friend countries to:

1. Demand from the Russian Federation that it fully comply with the agreement of 12 August 2008;

2. Demand from the Russian Federation that it refrain from further violations of Georgian airspace, provocative actions or rhetoric, including the setting up of military bases in Abkhazia and the former Autonomous Region of South Ossetia;

3. Demand from the Russian Federation that it grant international observers, in the first instance observers of the European Union and the Organization for Security and Cooperation in Europe (OSCE), permission to observe activities in the whole territory of Abkhazia and the South Ossetia Autonomous Region;

4. Demand from the Russian Federation that it reverse the results of the ethnic cleansing it committed and support secure and proper return of all internally displaced persons;

5. Demand from the Russian Federation that it comply with resolution No. 1633 of the Parliamentary Assembly of the Council of Europe, article 22.4, obliging the sides to "work towards the creation of a new peacekeeping format and to internationalize the peacekeeping force";

6. Demand from the Russian Federation, in line with article 9 of the above resolution, that it withdraw recognition of Abkhazia and the former Autonomous Region of South Ossetia;

7. Support the elaboration and launch of an international independent investigation mechanism on conflict escalation and grounds within a short space of time.

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Agenda item 121
Pattern of conferences

Pattern of conferences

Report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General on the pattern of conferences (A/63/119 and Corr.1). The Advisory Committee also had before it the report of the Committee on Conferences for 2008 (A/63/32), which, in annex I, contains a draft resolution on the pattern of conferences. During its consideration of the reports, the Committee met with representatives of the Secretary-General, who provided additional information and clarifications.

2. The report of the Secretary-General was submitted pursuant to General Assembly resolution 62/225. It covers the utilization of conference-servicing resources, the impact of the capital master plan, integrated global management and various issues pertaining to documentation, translation and interpretation. The report also outlines progress made in the implementation of specific initiatives related to the improvement of conference services and puts forward suggestions on steps that could further contribute to the optimal functioning of the management of conferences at the United Nations.

3. The Secretary-General notes in paragraph 2 of his report that efforts undertaken in the past few years to ensure optimal quality of conference management services in a cost-effective manner, with equal treatment given to all official languages of the United Nations, are beginning to bear fruit. According to the Secretary-General, documents and conference management have benefited from a much improved and structured system of conference planning; furthermore, significant improvement in the effective and efficient utilization of conference-servicing resources is being achieved.

4. Issues related to integrated global management are discussed in paragraphs 7 to 18 of the report of the Secretary-General. The Advisory Committee notes that the Department for General Assembly and Conference Management will concentrate on fine-tuning and implementing the compendium of administrative policies, practices and procedures adopted by all duty stations in 2006. The Secretary-General also

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reports that progress has been achieved in the management of lateral transfers of language staff between duty stations, exchanges of staff, the consolidated roster for contractual translation (which became operational in September 2007), the harmonization of slotting procedures and advance waiver management, as well as workload forecasting and capacity planning. As noted in the report, the progress of the integrated global management initiative will be the subject of a more comprehensive evaluation in the course of 2009.

5. The Secretary-General reports significantly enhanced cooperation, both formal and informal, between the Department and the regional commissions of the United Nations. An effective staff exchange programme with the Economic Commission for Africa has been put in place, with the translation services at Headquarters assigning a senior reviser to the Commission in exchange for a translator at the P-3 level. Through lateral transfers, the regional commissions have benefited from experienced language staff from Headquarters who have already acquired the level of expertise needed to function without additional training or supervision. The transfer of information technology applications developed by the Department has enabled the commissions to upgrade their conference-servicing information technology applications in a cost-effective manner. **The Advisory Committee welcomes these developments.**

6. The Advisory Committee notes that the Department is actively pursuing the integrated conference management system, which is a component of the global information technology initiative. The system is divided into three projects: (a) global integrated reporting, aimed at bringing transparency to operational data across all duty stations, establishing a common standard via the statistical framework and codification structure, providing integrated reporting and serving as a basis for supporting performance management in the Department; (b) a global solution for meetings planning and servicing: delivery of e-assignment programme modules of the integrated conference management system and deployment at the four duty stations are anticipated by the end of 2008; delivery of meetings planning and servicing modules and services is anticipated by the end of 2009 according to the schedules indicated in the integrated conference management system solution architecture; and (c) a global solution for documentation planning and processing: the development of a prototype based on a Documentum platform by the United Nations Office at Geneva in cooperation with the other duty stations and the International Computing Centre is currently under way; the prototype will focus on six key functionalities and would leverage the Official Document System proof of concept developed internally at the United Nations for future interface and data exchange with enterprise content management-based systems. As reported, the integrated conference management system takes into account future interface and data exchange with other enterprise systems (see A/63/119 and Corr.1, para. 13).

7. The Advisory Committee sought additional information on the plans to measure efficiency gains brought about by the global information technology initiative and the integrated global conference management system. It was informed that the reform process, which was initiated in 2002, is now well under way and is manifested in the various integrated global management initiatives, including the three global information technology projects described in the report. The Department is cognizant of the importance of realizing and documenting efficiency gains brought about by integrated global management, its three projects and other ongoing efforts. The Department has therefore asked the Office of Internal

Oversight Services to undertake an evaluation of the integrated global management process in 2009, whereby it would assess, among other things, the extent of savings and efficiencies achieved through its implementation.

8. The Advisory Committee notes the progress achieved in the implementation of the integrated global conference management system and the efforts made by the Department to develop the system. **The Advisory Committee requests that the Secretary-General include in his next report on the pattern of conferences information about the financial savings achieved through implementation of the integrated global conference management system. The Committee stresses that the efforts to optimize efficiency gains through these initiatives should continue and should be fully reported to the General Assembly.**

9. The Advisory Committee observes that annex VI of the report of the Secretary-General contains the performance measurement matrix for 2007, which provides indicators for human resources, finance, meetings management and timeliness of documentation, as well as productivity measures for the language services. Upon enquiry, the Advisory Committee was informed that the various measures included in the performance matrix are intended to enable Member States to draw their own conclusions about the full-system benefits of the reforms instituted. **The Advisory Committee is of the view that future reports of the Secretary-General should contain a better analysis to demonstrate how efficiently and cost-effectively the work of the Department is conducted, as well as a clear explanation of the units of measure and how they are calculated. The Department should continue to refine the cost estimates shown in annex VI of the Secretary-General's report. The Committee recommends that the Department should, in future, report on the progress of reform efforts.**

10. Issues related to meetings management are discussed in paragraphs 23 to 58 of the report of the Secretary-General. The statistical data on the planned and actual utilization of conference resources allocated to a core sample of bodies that met in New York, Geneva, Vienna and Nairobi in 2007 are contained in annex I of the report. The Advisory Committee notes that the overall utilization factor for 2007 remained at 83 per cent, the same figure as in 2006, which is 2 percentage points lower than the factor in 2005.

11. As noted in the report, the Secretariat believes it is necessary to increase the strategic reserve by approximately two meetings for a total of five additional meetings per week for the provision of services to "as required" bodies. However, during peak periods, as it sometimes happens that all of the freelance interpreters available are needed to service the calendar meetings scheduled, increasing the strategic reserve, even by two meetings per week, may not be a solution for a given week. Nevertheless, in the view of the Secretariat, the increase remains the only way the Department can address the problem of providing services to regional and other major groupings of Member States within existing resources.

12. The Secretary-General notes in paragraph 45 of his report that the unscheduled and rescheduled meetings of the Human Rights Council and its machinery significantly strain the services, resources and capacity of the Division of Conference Management at the United Nations Office at Geneva. The Advisory Committee recalls that the General Assembly recognized (see resolution 62/245) the strong demand that the Council was placing on interpretation capacity at the Office and authorized an additional team of interpreters for 2008-2009. The Committee

notes that the Council's workload has continued to increase and that the first four months of 2008 saw 880 meetings with interpretation, compared with 638 meetings for the same period in 2007, an increase of 38 per cent (A/63/119 and Corr.1, para. 45). In 2007, only 37 per cent of documents in Geneva were submitted on time; these problems, especially with regard to Human Rights Council and universal periodic review documentation, continued in the first part of 2008, and the current documentation processing capacity in Geneva is not sufficient to adequately meet the documentation requirements (ibid., para. 71). The Advisory Committee was briefed on the difficult situation faced in this regard by the United Nations Office at Geneva during its field visit to Geneva in July 2008. During that visit, the Committee was informed that a joint task force (the United Nations Office at Geneva, the Department for General Assembly and Conference Management and the Human Rights Council) had met to discuss the documentation and conference servicing requirements of the Human Rights Council and that a report was being prepared by the Secretary-General on the outcome of the work of the task force to address the challenges confronting the Office.

13. The Advisory Committee enquired whether all new conference services posts had been filled at the United Nations Office at Geneva and was informed that 22 of the 25 new posts (20 interpreters and 5 senior revisers) had been filled. Selections have been made for two vacant posts and recruitment for the remaining post is still ongoing. The Committee was also informed that the average time taken to fill posts was six and a half months, with some vacancies being filled in as little as three months and others taking a year. The Committee recalls, in this connection, that the General Assembly, in paragraph 59 of its resolution 62/236, noted the critical importance of the services provided by the Department for General Assembly and Conference Management and, in this regard, requested the Secretary-General to make every effort to expedite the filling of all vacant posts in the Department in accordance with established procedures. **The Advisory Committee is concerned about the slow pace of recruitment to fill vacant conference services posts at the United Nations Office at Geneva and it expects that all necessary measures will be taken to address the situation expeditiously (see also A/63/32, annex I, sect. V, para. 8). The Committee also requests that underlying reasons for delays in filling vacancies in certain areas of conference servicing be analysed and included in the next report on pattern of conferences.**

14. With regard to the utilization of conference facilities at the United Nations Office at Nairobi and in view of the Committee's recent consideration of the Secretary-General's report on the status of the project on improving conference services facilities at the Office (A/62/794), the Advisory Committee sought clarification as to whether or not the current deficiencies of the project would have an impact on the provision of conference services at the Office. The Committee was assured that all meetings of Nairobi-based United Nations bodies would be provided with all necessary conference services. **The Advisory Committee trusts that the Department for General Assembly and Conference Management would assist the United Nations Office at Nairobi, as required, to ensure that it meets its highest requirements for conference services (see also para. 24 below).**

15. Information on the impact of the capital master plan on meetings held at Headquarters is provided in paragraphs 59 to 65 of the report of the Secretary-General. The Advisory Committee notes that the Secretariat anticipates that, in the course of the implementation of the capital master plan, there will still be sufficient

conference facilities to accommodate the entire core activities required for intergovernmental organs and bodies that normally meet at Headquarters in accordance with the calendar of conferences and meetings. According to the Secretary-General, the impact of the loss of two conference rooms will be minimized by making greater use of the General Assembly Hall as a regular large conference room. It is noted, however, that during the renovation period, conference facilities to accommodate activities in excess of the core meetings of the Charter organs and their subsidiary bodies, such as parallel meetings, side events and meetings of regional groups, will be limited, especially during the renovation of the Conference Building.

16. As noted in the report, the Department for General Assembly and Conference Management has more than a dozen mission-critical systems which will be expected to operate smoothly with continued maintenance and support by the Information and Communications Technology Section staff during the construction period. The Advisory Committee recalls that two P-3 Information Technology Officer posts and four General Service posts (records management assistants) were approved for the biennium 2008-2009 in relation to capital master plan activities, in order to ensure adequate support for mission-critical systems and adequate servicing of staff co-located in five places. For a period of three months at the time of the relocation, an additional five positions for information and communications technology (ICT) technicians were also approved to assist with the removal, set-up and installation of information technology assets of the Department in the various locations. Upon enquiry, the Committee was informed that the dependency on temporary assistance to staff the Information and Communications Technology Section poses a risk during the implementation of the capital master plan in relation to the ability of the Department to provide and maintain high quality ICT services, especially in the critical area of computer operations support, given the physical separation of the documentation chain, interpretation services, verbatim services and meeting planning and servicing, with the ICT systems for documents and meetings management relocated separately. **The Advisory Committee stresses, in this connection, the importance of ensuring that proper support is provided throughout the capital master plan to ensure uninterrupted service. The Committee also stresses the importance of active involvement of the Chief Information Technology Officer to ensure that established information technology standards, policies and procedures are followed.**

17. The Advisory Committee notes that while the past few years have witnessed some improvement in the timely submission and issuance of documents, the overall compliance in New York with guidelines for submission was only 65 per cent in 2007 and the overall compliance with guidelines for issuance was only 61 per cent. **The Advisory Committee shares the concern of the Committee on Conferences about the late submission of documentation by author departments (see A/63/32, annex I, sect. IV, paras. 11 and 12). At the same time, the Committee welcomes the fact that a number of entities have improved their rate of timely submission of documents (see A/63/119 and Corr.1, para. 69) and encourages those entities to share best practices with others.**

18. The Secretary-General reports that the Department for General Assembly and Conference Management has enhanced communications with committee secretaries to keep abreast of changes in the programmes of work in a timely manner, so that it can make the necessary adjustments to the slotting schedule. **The Advisory**

Committee recommends that the Secretary-General report to the Committee on Conferences on the associated efficiency gains achieved.

19. With regard to the ongoing demographic transition in the language services, the Advisory Committee notes that the Department engages, together with its partners in the Examinations and Tests Section of the Office of Human Resources Management, in an annual planning exercise for the coming year. The number of examinations that can be held is dictated primarily by the capacity of the Section, which also has responsibilities for the national competitive examinations and the language proficiency examinations. According to the Secretary-General, it has been the case in recent years that the capacity of the Section has not been sufficient to cover all the examinations needed by the Department's language services. Upon enquiry, the Advisory Committee was informed that, because of the large-scale turnover in the language services as a result of retirements, and perhaps owing to broader trends in education, culture and employment in the countries where the United Nations has traditionally found most of its language staff, both applications and yields have been declining for several languages (English and French, in particular). The emphasis for the present is on revamping the examination process by improving the format of examinations and streamlining the process overall and seeking to broaden the pool of applicants through outreach activities. The Advisory Committee recalls General Assembly resolution 62/225 (sect. V, para. 6). **In this context, the Advisory Committee recommends that the Secretary-General engage all relevant departments with a view to holding competitive examinations for the recruitment of language staff as much in advance as possible in order to fill vacancies in the language services in a timely manner. The Committee stresses the importance of the envisaged revamping of the examination process and the outreach activities and requests the Secretary-General to keep the Assembly apprised of progress made.**

20. As noted in the report of the Secretary-General, the Department for General Assembly and Conference Management has developed a programme of outreach to universities and other training institutions for language staff, as well as to professional associations of language specialists, and has stepped up training for serving staff to prepare them for increased responsibilities resulting from the retirement of large numbers of language staff. The Department has also proposed a number of measures in its bilateral contacts with the Office of Human Resources Management that could help to ensure a more orderly succession in the language services. These include, among other measures, raising, or waiving, the mandatory age of separation for language staff until such time as the staffing situation in the language services has stabilized. In this connection, the Advisory Committee recalls section V, paragraph 8, of General Assembly resolution 62/225, in which the Secretary-General was requested to continue to address the issue of succession planning by enhancing internal and external training programmes, developing staff exchange programmes among organizations and participating in outreach to institutions that train language staff for international organizations. **The Advisory Committee notes with interest these initiatives and expects that the Secretary-General will continue to address the issue.**

21. With regard to the ceiling on the United Nations earnings of retired language staff, the Advisory Committee has recently expressed its view on the interpretation by the Secretariat of General Assembly resolution 57/305. In a letter addressed to the Secretary-General dated 6 October 2008 (see annex), the Advisory Committee

indicated that the General Assembly was very clear that the ceiling was to be set in terms of workdays, not compensation days. Therefore, only those days on which the employee works should be counted towards the ceiling of 125 days. Accordingly, the Committee pointed out that there is no need to lift the ceiling of 125 days for the hiring of retired language staff.

22. With regard to contractual translation and quality control, the Advisory Committee notes that in the context of the integrated global management of conference services, the Department for General Assembly and Conference Management has developed a common roster for contractual translation, which is now being used by all duty stations on a trial basis. The common roster should serve both to increase the available contractual translation capacity and to improve coordination among duty stations in the use of contractual translation. The database of contractors can be searched according to such criteria as language and specialization, and contains information on quality controls of the contractor's work already performed at the various duty stations. As part of the project, a standardized electronic template for quality control evaluations has been developed. Upon enquiry, the Committee was informed that the Department had consistently advocated giving due weight to the quality of work in the evaluation of bids for the provision of external translation services.

23. In connection with the recommendations of the Board of Auditors (see A/63/5 (Vol. 1), paras. 295 to 304) concerning measures to improve the quality of temporary staff and contractors hired by the language services, the Advisory Committee was informed, upon enquiry, that the institutional contractors employed by the Department for General Assembly and Conference Management for the provision of external translation services were awarded contracts as a result of a competitive bidding process overseen by the Procurement Division and that the evaluation of the quality of sample translations submitted was performed on an anonymous basis. Any unsatisfactory performance revealed by quality control checking is brought to the attention of contractors, whether institutional or individual. The common roster for contractual translators, which became operational late in 2007, allows evaluations of the work of contractors to be viewed by those involved in outsourcing translation work at all duty stations. According to the Secretariat, procedures for the inclusion of contractors in the roster will be captured in written guidelines, to be issued by the end of 2008.

24. **The Advisory Committee notes with concern that the overall vacancy rate for the interpretation section at the United Nations Office at Nairobi was 35 per cent.** As indicated in the report of the Secretary-General, in its continued efforts to seek a long-term solution to the problem of high vacancy rates in the language services in Nairobi, the Office has engaged the services of a consultant to explore the possibilities of providing enhanced training programmes to potential professional translators and interpreters on the African continent.

25. The Advisory Committee notes the continued efforts to enhance publishing services (see A/63/119 and Corr.1, paras. 86 to 90). As indicated in the report of the Secretary-General, the Publishing Section in New York acquired a colour digital component which will enable some colour work to be processed by digital technologies that offer fast turnaround, on-demand printing/reprinting and optimal materials usage. Upon enquiry, the Committee was informed that the installation of new colour offset printing technology has made possible the processing of a number

of jobs that historically would have been printed externally, for example, the annual collection folder of the United Nations Postal Administration and the *Statistical Yearbook* and the *World Economic and Social Survey* of the Department of Economic and Social Affairs. In Geneva, high-speed digital printing presses using the latest technology were installed together with the latest-generation laser plate-setter in the Publishing Service. Moreover, according to the Secretary-General, several experiments in work sharing among duty stations and with the regional commissions have proved that opportunities exist for capacity utilization and sharing across duty stations. **The Advisory Committee encourages the Secretary-General to continue his efforts at capacity utilization and sharing, as well as increasing the use of internal printing capacity, and to report on progress achieved in the context of the proposed programme budget for 2010-2011.**

26. The Advisory Committee commented on matters relating to conference servicing in its first report on the proposed programme budget for the biennium 2008-2009. **Therefore, the present report should be considered by the General Assembly in conjunction with the Advisory Committee's first report on the proposed programme budget for the biennium 2008-2009 and the report of the Committee on Conferences for 2008 (A/63/32), as well as relevant resolutions of the Assembly.**

Annex

Letter dated 6 October 2008 from the Chairman of the Advisory Committee on Administrative and Budgetary Questions addressed to the Secretary-General

The Advisory Committee on Administrative and Budgetary Questions has considered the letter from the Controller of 25 September 2008 seeking the concurrence of the Committee to temporarily waive the ceiling of 125 workdays for retired language staff for the balance of the calendar year 2008 for New York Headquarters and to agree that the issue will be discussed further in the context of its consideration of human resources issues.

The General Assembly, in its resolution 57/305 of 15 April 2003, endorsed the Advisory Committee's recommendation that the maximum limit on the employment of retired language staff should be set at 125 workdays rather than as a dollar amount. The Advisory Committee notes from the Controller's letter that, in accordance with the Agreements Concerning Conditions of Employment of short-term free-lance language staff, which provides for the payment of the sixth and seventh days of the normal work week and established public holidays, retired language staff are also paid for weekend days even if no work is performed, and such days are counted towards the ceiling of 125 workdays.

In the Advisory Committee's opinion, the General Assembly was very clear that the ceiling was to be set in terms of workdays and not compensation days. Therefore, only those days on which the employee works should be counted toward the ceiling of 125 days. Upon enquiry, the Committee was informed that, if the ceiling were calculated in terms of actual workdays, as stipulated by the Assembly, requirements for additional language staff could be met and there would be no need for a lifting of the ceiling. The Committee was also informed that the additional financial requirements that the hiring of retired language staff would represent would be met from within existing resources.

Accordingly, the Advisory Committee sees no need to lift the ceiling of 125 days for the hiring of retired language staff. The Committee, therefore, recommends that the Secretariat reconsider its interpretation of this provision of General Assembly resolution 57/305.

Susan McLurg
Chairman